

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

United States Courts
Southern District of Texas
FILED

UNITED STATES OF AMERICA

V.

March 29, 2022

CRIMINAL COMPLAINT

Vidal Rico III

Nathan Ochsner, Clerk of Court

Case Number:

YOB:

1988

COB:

United States

M-22-0621 -M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about March 28, 2022 in Starr County, in the
Southern District of Texas
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Elizabeth Balcazar-Solano and Rosa Huertas-Ariza, both citizens and nationals of Mexico, for a total of two (2) who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a U.S. Border Patrol Agent and that this complaint is based on the following facts:

On March 28, 2022, Border Patrol Agents observed a group of five (5) suspected illegal aliens entering the United States, via raft, and later observed three (3) of the five (5) subjects returning to Mexico. Agents relayed the information to other Agents in the area. A nearby Agent observed two (2) females, who were wearing black clothing and dirty, hiding by a restaurant. Shortly after, the agent observed the two (2) females board a white Chevrolet Tahoe. Agents followed the Tahoe to a residence in Roma, Texas.

At the residence, an Agent observed the male driver of the Tahoe, later identified as Vidal Rico III, a United States citizen, park, while the two (2) suspected illegal aliens exited the Tahoe and ran to the residence. An agent approached Rico, as he exited the Tahoe, identified himself as a Border Patrol Agent, and proceeded to speak to Rico. Simultaneously, a second agent observed the two (2) females enter the residence, leaving the door open. The Agent approached the residence and asked one (1) of the females to exit. Once the female exited, the Agent conducted an immigration inspection on the female, and she was determined to be illegally present in the United States. The Agent relayed the information to the Agent interviewing Rico, who was subsequently placed under arrest. While searching Rico, the agent found a lanyard with two (2) keys. Rico admitted to the agent that the keys belonged to a shed.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Complaint authorized by AUSA P. Brostowin

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

/s/ Jose E. Diaz

Signature of Complainant

Jose E. Diaz Border Patrol Agent

Printed Name of Complainant

March 29, 2022 1:53 PM
Date

at McAllen, Texas
City and State

Nadia S. Medrano, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-22-*de21* -M

RE: Vidal Rico III

CONTINUATION:

After agents received consent from the homeowner, they found the second female who also admitted to being illegally present in the United States. While searching the perimeter of the house, agents observed a male subject, through a small window of a shed, sitting on the floor. From the window, the subject admitted to an agent he was illegally present in the United States. The Agent asked him to step out, but the subject indicated he was locked in from outside. Agents observed a locked padlock on the door outside of the shed. Using the key that was found in Rico's possession, Agents were able to unlock the padlock and open the door of the shed. The illegal alien stated he was given food and water but didn't have access to a restroom or running water. The shed didn't have A/C, running water or a bathroom. Rico and the illegal aliens were placed under arrest and taken to the Rio Grande City Border Patrol station for processing.

PRINCIPAL STATEMENT:

Vidal Rico III, a United States citizen, was advised of his Miranda Rights, stated he understood his rights, and refused to provide a statement without a lawyer present.

MATERIAL WITNESS 1 STATEMENT:

Elizabeth Balcazar-Solano, a citizen of Mexico, was read her Miranda Rights, stated she understood her rights, and agreed to provide a statement without a lawyer present. Balcazar claimed she initially paid \$3,000 but was going to pay a total of \$8,000 for her smuggling arrangements. Balcazar indicated that she crossed the Rio Grande River along with one (1) other subject. After crossing, someone on the phone gave them instructions and directions. A white SUV, driven by a male subject, pick them up. Balcazar stated that once they arrived at a house, the driver told them to get off the truck and they entered the house. Balcazar was able to identify Vidal Rico III, through a photo line-up, as the driver.

MATERIAL WITNESS 2 STATEMENT:

Rosa Huertas-Ariza, a citizen of Mexico, was read her Miranda Rights, stated she understood her rights, and agreed to provide a statement without a lawyer present. Huertas stated she was supposed to pay a total of \$10,000 for her smuggling arrangements to Houston, Texas. Huertas crossed the Rio Grande River using a raft with another subject. After crossing, Huertas claimed that a subject on the phone, guided them through the brush and told them that a white SUV will pick them up. When the white SUV arrived, the driver instructed them to get in and they boarded and sat on the rear seat of the white SUV. Huertas added that the driver told them to get down and be quiet. Huertas described the driver as male, wearing blue jeans, a shirt and a gray or dark cap. Once they arrived at a residence, Huertas stated that the driver instructed them to get off.